

ELIJAH DAILEY.

[To accompany bill H. R. No. 779.]

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JANUARY 24, 1857.

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Mr. LUMPKIN, from the Committee on Invalid Pensions, made the following

REPORT.

*The Committee on Invalid Pensions, to whom was referred the petition of Elijah Dailey, would beg leave to submit the following report:*

That he was a private in the company commanded by Captain Stapleton, in the 39th regiment of Maryland militia, in the war with Great Britain, declared by the United States in 1812; that while in the line of his duty at North Point, near the city of Baltimore, on the 12th of September, 1814, he was struck by a musket ball, which still remains in his head, by which casualty the sight of his eye was entirely destroyed; that on the 17th day of May, 1817, his name was inscribed on the pension list roll of the Maryland agency, at the rate of \$5 33 per month, to commence on the 20th of November, 1814, on account of the said wound and disability. The loss of an eye to one of his profession, that of shoemaker, amounts to a disability of the highest degree, because it incapacitates him from making a living by his trade, and as such entitled him to be put on the pension roll at the full pay of a private, or at the rate of eight dollars per month. In the month of February, 1855, upon his application, the Secretary of the Interior increased his pension to eight dollars per month, to commence from the first day of February, 1855. He now asks Congress to pass an act giving to him the difference between \$5 33 per month and eight dollars per month—that is, two dollars and sixty-six cents per month, from the 20th day of November, 1814, and the first day of February, 1856.

It is clear to your committee, that if the loss of an eye amounts to a total disability in 1856, the same disability exactly amounted to the same degree of disability in 1814. But for a misconception of the rule with regard to the loss of an eye by the examining physicians, he would have been placed upon the pension roll at full pay at the time of the first enrolment.

Your committee would therefore beg leave to report the accompanying bill.

